BEFORE THE MEDICAL BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Daniel Shin, M.D. 15885 Saddle Court Fountain Valley, CA 92708

Case No. 19-2010-208332

Physician's and Surgeon's Certificate No. G75155

AGREEMENT FOR SURRENDER OF LICENSE

Respondent.

TO ALL PARTIES:

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings, that the following matters are true:

- 1. Complainant, Kimberly Kirchmeyer, is the Executive Director of the Medical Board of California, Department of Consumer Affairs ("Board").
- 2. Daniel Shin, M.D., ("Respondent") has carefully read and fully understands the effect of this Agreement.
- 3. Respondent understands that by signing this Agreement he is enabling the Board to issue this order accepting the surrender of license without further process. Respondent understands and agrees that Board staff and counsel for complainant may communicate directly with the Board regarding this Agreement, without notice to or participation by Respondent. The Board will not be disqualified from further action in this matter by virtue of its consideration of this Agreement.
- 4. Respondent acknowledges that on January 13, 2012, an Accusation was filed against his medical license and on August 31, 2012, a Decision was rendered, adopting the Stipulated Settlement between the parties, wherein his license was revoked, with the revocation stayed, and placed on 5 years' probation with various terms and conditions.

5. The Stipulated Settlement provides in pertinent part:

"Following the effective date of this Decision, if Respondent ceases practicing due to retirement, health reasons, or is otherwise unable to satisfy the terms and conditions of probation, Respondent may request voluntary surrender of Respondent's license."

(Condition #19)

- 6. Upon acceptance of this Agreement by the Board, Respondent understands he will no longer be permitted to practice as a physician and surgeon in California or be allowed to be referred to as an M.D. or licensed physician, as provided in California Business and Professions Code section 2054. Respondent also agrees to surrender his wallet certificate, wall license, and D.E.A. Certificate(s).
- 7. Respondent hereby represents that he does not intend to seek re-licensure or reinstatement as a physician and surgeon. Respondent fully understands and agrees, however, that if Respondent ever files an application for re-licensure or reinstatement in the State of California, the Board shall treat it as a Petition for Reinstatement of a revoked license in effect at the time the Petition is filed. In addition, any Medical Board Investigation Report(s), including all referenced documents and other exhibits, upon which the Board's Decision is predicated, and any such Investigation Report(s), attachments, and other exhibits, that may be generated subsequent to the filing of this Agreement for Surrender of License, shall be admissible as direct evidence, and any time-based defenses, such as laches or any applicable statute of limitations, shall be waived when the Board determines whether to grant or deny the Petition.

ACCEPTANCE

I, Daniel Shin, M.D., have carefully read the above Agreement and enter into it freely and voluntarily, with the optional advice of counsel, and with full knowledge of its force and effect, do hereby surrender Physician's and Surgeon's Certificate No. G75155, to

Medical Board of California

Surrender

of License, I recognize that upon its formal acceptance by the Board, I will lose all rights and privileges to practice as a Physician and Surgeon in the State of California and that I have delivered to the Board my wallet certificate and wall license. 1/12/16 Daniel Shin, M.D. Date

the Medical Board of California for its acceptance. By signing this Agreement for

Executive Director